

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of:)

Rolin F. Barrett)

Patent No.: 5,788,178)

Issue Date: 04 August 1998)

For: **GUIDED BULLET**)

Attorney Docket No.:4419-001)

Christopher K. Montgomery
Examiner
Group Art Unit 3641

Raleigh, North Carolina
02 February 2000

Assistant Commissioner of Patents
Box Missing Parts - Reissue
Washington, D.C. 20231

Sir:

In response to the Notice of Incomplete Application, please find enclosed temporary drawings representing Figs. 1-14 referred to in the specification. Applicant repeats its request made in the remarks to the PRELIMINARY AMENDMENT that the drawings be transferred from the original file pursuant to 37 C.F.R. § 1.174 and MPEP § 1413. Applicant believes that Applicant submitted appropriate temporary drawings as evidenced by the transmittal cover letter (PTO/SB/50), however in the interests of expediency, Applicant herein resubmits the same. Further, pursuant to the Notice to File Missing Parts of Application, Applicant submits a newly executed declaration that covers the items required on the Notice of Incomplete Application.

A check in the amount of \$65.00 is enclosed to cover the surcharge for the allegedly incomplete filing. If additional fees are required, please deduct from Deposit Account 18-1167.

Respectfully submitted,

Coats & Bennett, P.L.L.C.

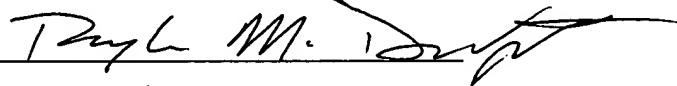

Taylor M. Davenport

Registration No. 42,466

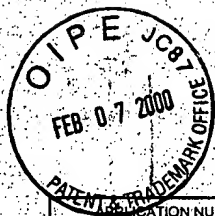
Telephone: (919) 854-1844

CERTIFICATE OF MAILING

I hereby certify that this document is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: ASSISTANT COMMISSIONER OF PATENTS, BOX MISSING PARTS - REISSUE, WASHINGTON, D.C. 20231

Signature: 

Date: 2/2/2000



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/436,387	11/08/99	BARRETT	R P-4419.001

0242/1228

LARRY L COATS
COATS & BENNETT P L L C
1100 CRESCENT GREEN SUITE 206
CARY NC 27511

NOT ASSIGNED

3613

DATE MAILED:

12/28/99

NOTICE OF INCOMPLETE APPLICATION

A filing date has NOT been assigned to the above identified application papers for the reason(s) indicated below.

If all required items on this form are filed, the total amount owed by applicant as a ☒ small entity (statement filed)

☐ non-small entity is \$ 0

All of the items indicated below in "A" must be submitted within **TWO MONTHS** of the date of this Notice, or proceedings on the application will be terminated (37 CFR 1.53(e)). **A newly executed oath or declaration in compliance with 37 CFR 1.63 covering these items is also required.**

The filing date will be the date of receipt of all items required below, in "A." Any assertions that these items required were submitted, or are not necessary for a filing date, must be by way of petition directed to the attention of the Office of Petitions accompanied by the \$130.00 petition fee (37 CFR 1.17(i)). If the petition states that the application is complete, a request for refund of the petition fee may be included in the petition.

A. The above-identified application papers are not entitled to a filing date because:

☒ 1. The specification (description and claims):

☐ a. is missing.

☐ b. does not include a written description of the invention.

☐ c. does not include at least one claim as prescribed by 35 U.S.C. 112.

A complete specification (including at least one claim in a nonprovisional application) as prescribed by 35 U.S.C. 112 is required.

☐ 2. The application was deposited without drawings. 35 U.S.C. 113 (first sentence) requires a drawing "where necessary for the understanding of the subject matter sought to be patented."

Applicant should reconsider whether drawings are necessary under 35 U. S. C. 113 (first sentence).

B. Additional observations on the above-identified application papers:

☐ 1. The statutory basic filing fee is:

☐ missing

☐ insufficient

Applicant must submit \$ _____ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27(b)).

☐ 2. The following additional claim fees are due:

\$ _____ for _____ total claims over 20.

\$ _____ for _____ independent claims over 3.

\$ _____ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☐ 3. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 4. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

☐ 5. Pages _____ of the specification are missing.

☒ 6. Figures 1-14 described in the specification are missing.

☐ 7. Other: _____

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

Enclosed:

☐ "General Information Concerning Patents." See page _____

☐ Other: _____

A copy of this notice MUST be returned with the reply.

Customer Service Center
Initial Patent Examination Division (703) 308-1202

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65.00 OF U.S. GPO 1999 453-211

REISSUE CASE



SECRET
Section 11
UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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09/436,387 11/08/99 BARRETT R P-4419,001

0242/1228

LARRY L COATS
COATS & BENNETT P L L C
1100 CRESCENT GREEN SUITE 206
CARY NC 27511

NOT ASSIGNED

3613

DATE MAILED:

12/28/99

NOTICE TO FILE MISSING PARTS OF APPLICATION

No Filing Date

(Enclosure to Form PTO-1123)

The required items noted below SHOULD be filed along with any items required on the "Notice of Incomplete Application." The filing date of this application will be the date of receipt of the items required on the "Notice of Incomplete Application." The items noted below must be filed no later than TWO MONTHS FROM THE FILING DATE ACCORDED THIS APPLICATION. If any of items 1 and 3 through 5 below are submitted after the filing date accorded this application, the SURCHARGE set forth in 37 CFR 1.16(e) of ☒ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☐ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form and on the "Notice of Incomplete Application" are filed together, the total amount owed by applicant as a ☒ small entity (statement filed) ☐ non-small entity is \$ 65.

☐ 1. The statutory basic filing fee is:

- ☐ missing or unexecuted.
- ☐ insufficient.

Applicant must submit \$ _____ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☐ 2. Additional claim fees of

\$ _____ for _____ independent claims over 3.

\$ _____ for _____ dependent claims over 20.

\$ _____ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

- ☐ is missing or unexecuted.
- ☒ does not cover the items required on "Notice of Incomplete Application."
- ☐ does not identify the application to which it applies.
- ☐ does not include the post office address and the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and filing date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than the inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, referring to the above Application Number and filing date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and filing date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. The application does not comply with the Sequence Rules.

See attached "Notice To Comply with Sequence Rules" 37 CFR 1.821-1.825."

☐ 8. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

NA Daily
Customer Service Center
Initial Patent Examination Division (703) 308-1202

REISSUE CASE